

2004 King County Comprehensive Plan Update Area Zoning Study

Department of Development and Environmental Services

Study Area: Sammamish Agricultural Production District – Northeast Area

Summary

This is an area of approximately 29 acres located in the Sammamish Agricultural Production District (Sammamish APD). The area is designated Rural Residential on the King County Comprehensive Plan Land Use Map. The zoning for the area is RA-2.5-SO, Rural Residential – one home per 2.5 acres within a Special District Overlay (SO). The area is within the Significant Trees SO and the Agricultural Buffer SO.

The purpose of this area zoning study is to review those properties within the northeast portion Sammamish APD that are currently zoned for Rural Residential use to determine whether or not the Rural Residential properties should remain within the APD.

It is proposed that the majority of the study area that is within the Sammamish APD be removed from the Agricultural Production District, but remain designated for Rural Residential use and retain the RA-2.5-SO zoning.

It is also proposed that parcel 1026059173 and that portion of parcel 1026059167 that is within the study area, both of which are owned by King County, remain within the APD, be designated for Agriculture use, and rezoned A-10-SO. These two parcels should be removed from the Agricultural Buffer SO, but remain within the Significant Trees SO. This will eliminate split-parcel zoning for parcel 1026059167.

Maps and a parcel-by-parcel list showing proposed amendments are attached.

Background

This subarea plan was carried out to determine the most appropriate land use designation and zoning for those properties zoned RA-2.5-SO within the Sammamish APD, as authorized by King County Council Motion 11697. Subsequent 2003 docket requests from private landowners in the study area requested that the properties be redesignated Urban and become part of the City of Woodinville's PAA, which borders the study area to the north. While outside the scope of this area zoning study, conversion of Rural land within the APD to Urban is inconsistent with KCCP policies and would bring severe development pressure to bear on other property within and adjacent to the APD.

The study area includes 12 ½ parcels plus two roads and associated rights-of-way. The two northernmost parcels are not within the boundaries of the APD, and the boundary cuts across the parcel south of those ones. The northernmost parcel is also not included within the Agricultural Production Buffer SO. The ½ parcel is located at the southwest edge of the study area. It is a split zone parcel designated for Agriculture on the KCCP Land Use Map, with A-10-SO zoning on the western half.

Over half of the parcels are currently vacant. Uses on the others include single family homes, a church, a daycare/education center, and a small telephone utility equipment building. King County owns 2-1/2 vacant parcels in the study area. The other major owner in the area is the Woodinville Alliance Church, with an existing church on a large parcel and two adjacent vacant parcels.

Applicable King County Comprehensive Plan Policies:

- R- 102** The Rural Area designations shown on the King County Comprehensive Plan Land Use Map include areas that are rural in character and meet one or more of the following criteria:
- a. Opportunities exist for significant commercial or non-commercial farming and forestry (large-scale farms and forest lands are designated as Natural Resource Lands);
 - b. The area will help buffer nearby Natural Resource Lands from conflicting urban uses;
 - c. The area is contiguous to other lands in the Rural Area, Natural Resource Lands or large, predominantly environmentally sensitive areas;
 - d. There are major physical barriers to providing urban services at reasonable cost, or such areas will help foster more logical boundaries for urban public services and infrastructure;
 - e. The area is not needed for the foreseeable future that is, well beyond the 20-year forecast period to provide capacity for population or employment growth;
 - f. The area has outstanding scenic, historic, environmental, resource or aesthetic values that can best be protected by a Rural Area designation; or
 - g. Significant environmental constraints make the area generally unsuitable for intensive urban development.
- R- 103** King County's Rural Area is considered to be permanent and shall not be redesignated to an Urban Growth Area until reviewed pursuant to the Growth Management Act (RCW 36.70A.130(3) and Countywide Planning Policy FW-1.
- R- 209** The RA-2.5 zone has generally been applied to rural areas with an existing pattern of lots below five acres in size that were created prior to the adoption of the 1994 Comprehensive Plan. These smaller lots may still be developed individually or combined, provided that applicable standards for sewage disposal, environmental protection, water supply, roads and rural fire protection can be met. A subdivision at a density of one home per 2.5 acres shall only be permitted through the transfer of development credits from property in the designated Rural Forest Focus Areas. The site receiving the density must be approved as a Transfer of Development Credits receiving site in accordance with the King County Code. Properties on Vashon-Maury Islands shall not be eligible as receiving sites.
- R- 537** All parcels within the boundaries of an APD should be zoned Agricultural, either A-10 or A-35. If small parcels in the APD are not zoned for Agriculture, permitted nonresidential uses must not conflict with agricultural uses in the APD.

R-547 with revisions proposed in the 2004 King County Comprehensive Plan Update:

R-547 Lands can be removed from the Agricultural Production Districts, except as provided in Policy 547a, only when it can be demonstrated that:

- a. Removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the local APD boundaries; and
- b. The land is determined to be no longer suitable for agricultural purposes.

In addition to meeting these two tests, removal of the land from the APD may only occur if it is mitigated through the addition of agricultural land abutting the same APD of equal acreage and of equal or greater soils and agriculture value.

R-547a is a new policy proposed in the 2004 update:

R-547a Land that is zoned rural and has permanent non-agricultural structures can be removed from the Sammamish Agricultural Production District only when a subarea plan demonstrates that removal of the land will not diminish the productivity of prime agricultural soils or the effectiveness of farming within the APD. Land to be removed from the APD shall retain rural zoning and shall not be rezoned to urban zoning. The removal of land zoned rural from the Sammamish APD shall not be contingent on the addition of land to the APD.

Analysis:

Recently, King County and the cities within the county completed a detailed assessment of the development capacity within our Urban Growth Area, as envisioned by the Growth Management Act and the Countywide Planning Policies. This assessment, known as the "Buildable Lands Report," indicates there is sufficient development capacity within our Urban Growth Area to accommodate forecast growth for at least the next 10 years. Additionally, the study area serves as a rural buffer for the APD, preventing conflicting urban uses from developing adjacent to agricultural land.

Areas such as the study area that have been zoned RA-2.5 are those Rural areas that were subdivided to lots smaller than 5 acres before Growth Management Act guidelines were in place. Lots within the APD should, for the most part, be larger than 10 acres. Existing land uses such as the church and Montessori School are clearly non-agricultural, though suitable for the Rural Area.

King County Comprehensive Plan (KCCP) policy R-537 calls for areas within an APD to be zoned for Agricultural use, either A-10 or A-35. This policy acknowledges that there may be small parcels located within an APD that are not zoned for Agricultural use, so long as permitted uses on these parcels do not conflict with agriculture.

Removal of land from the APD is not consistent with the existing KCCP Policy R-547. No finding has been made that the land is not suitable for agriculture and no replacement land has been identified for the area proposed for removal from the APD.

Policy R-547 is proposed to be amended and a new Policy R-547a is also proposed to allow a subarea plan to determine whether a proposed removal of land from the Sammamish APD will

diminish productivity of soil or effectiveness of farming within the APD. This policy will apply only to the Sammamish APD and is not intended to allow consideration of converting Rural – zoned land within the APD to Urban development.

Conclusions:

Designating the study area Urban is not consistent with KCCP Policy R-103, because there already exists sufficient land capacity within the Urban Area to meet growth and development targets.

This Rural property meets the criteria for Rural land use designation described in KCCP Policy R-102. The proposed amendments will preserve a rural buffer around the Sammamish APD consistent with that policy. For this reason, the Rural land use designation and the Agricultural Production Buffer SO should be retained.

Retaining the RA-2.5-SO zoning for the study area is also consistent with KCCP Policy R-209.

While KCCP Policy R-537 acknowledges the presence of Rural Residential parcels in the APD; the policy supports but does not require removal of RA-zoned properties from the APD, provided these properties are designated Rural. The proposed amendments for parcels 102605-9173 and –9167, leaving those parcels in the APD and rezoning them to A-10-SO, are also consistent with Policy R-537.

The proposed removal of Rural Residential zoned land from the Sammamish APD is not consistent with KCCP Policy R-547. However, the proposal is consistent with revised Policy R-547 and new Policy R-547a as recommended in the 2004 KCCP Update.

Executive Staff Recommendation:

Amend Policy R-547 and adopt new Policy R-547a.

Amend the Sammamish Agricultural Production District boundary to remove the study area from the APD except parcels 1026059173 and 1026059167, which remain in the APD.

Amend the land use designation for parcel 1026059173 from Rural Residential to Agricultural.

Amend the zoning designation for parcel 1026059173 and that portion of parcel 1026059167 that is currently zoned RA-2.5 to A-10, Agricultural, ten acre minimum lot size.

See attached maps and list of recommended amendments by parcel.